

Central Intelligence Agency



Washington, D.C. 20505

(b)(3)

Mr. Mark S. Zaid
Executive Director
The James Madison Project
1250 Connecticut Avenue, NW, Suite 200
Washington, D. C. 20036

February 10, 2009

Reference: F-2008-01806

APPROVED FOR
RELEASE ☐ DATE:
18-Aug-2010

Dear Mr. Zaid:

This is a response to your 2 September 2008 Freedom of Information Act (FOIA) request for copies of "all internal Central Intelligence Agency ('CIA') documents pertaining to:

- (1) the indexing and organizational structure of all CIA Systems of Records subject to FOIA, especially with respect to which Systems of Records are held by which CIA components (*excluding the Privacy Act Systems of Records detailed in the 22 July 2005 Federal Register*);
- (2) all or part of the CIA's current organizational structure (*excluding the National Clandestine Service*), especially organizational charts, outlines, or other graphical representations;
- (3) which CIA components are tasked with FOIA requests by CIA Information Management Services ('IMS'), especially with respect to which CIA offices are considered 'components' by IMS for tasking purposes;
- (4) the search tools and indices employed by each CIA component from (3) above when processing FOIA requests;
- (5) discussions of the first and second recommendations made by JMP on 18 May 2008 (copy attached); and
- (6) any other records pertaining to the subject matter of the first and second JMP recommendations of 18 May 2008."

We sent you a 25 September 2008 letter accepting, in error, all items of your request. However, the CIA does not accept items 1 through 4 of your request because locating information responsive to these items of your request, as currently stated, would require the CIA to perform an unreasonably burdensome search. The FOIA requires that requesters "reasonably describe" the information they seek so that professional employees familiar with the subject matter can locate responsive information with a reasonable amount of effort. Your request seeks "all internal CIA documents 'pertaining to'" items 1-

4. Professional employees cannot reasonably search all internal CIA documents to determine which internal CIA documents contain information 'pertaining to' items described in 1-4. Your request for all internal CIA documents pertaining to items 1 through 4 is not accepted.

Please note that the CIA is exempt from the provisions of any law requiring publication or disclosure of the CIA's organization or functions, or requiring disclosure of the names or official titles of CIA personnel, pursuant to Section 6 of the CIA Act, as amended, 50 U.S.C. § 403g. Section 6 of the CIA Act is well established as an applicable exemption to mandatory disclosure of records under the FOIA, 5 U.S.C. § 552(b)(3), and operates independently of the FOIA to exempt the CIA from the mandatory disclosure provisions of any other law, to protect information concerning the organization and functions of the CIA from public disclosure. Therefore, even if you restated the information you request in items 1 through 4 with greater specificity to enable professional employees to conduct a reasonable search, any information disclosing the CIA's organization or functions is exempt from disclosure on the basis of Section 6 of the CIA Act and FOIA exemption (b)(3). The subject matter of your request indicates that little if any information could be responsive to your request, however it is drafted, other than information disclosing the CIA's organization or functions.

In our letter of 25 September 2008, we accepted items 5 and 6 of your request and have completed the processing of those items in accordance with the FOIA, 5 U.S.C. § 552, as amended, and the CIA Information Act, 50 U.S.C. § 431, as amended. We conducted a thorough search for any information responsive to those items of your request. We did not locate any information responsive to those items of your request. Please note that the CIA regulations governing administrative appeals provide that no appeal shall be accepted if the information in question is the subject of pending litigation in the federal courts.

Sincerely,

A handwritten signature in cursive script, reading "Delores M. Nelson".

Delores M. Nelson
Information and Privacy Coordinator

